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NOT TO BE PUBLISHED IN OFFICIAL REPORTS

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

AMANO CORPORATION, Plaintiff and Respondent, v. TODD S. GLASSEY, Defendant and Appellant.	A145407 (San Francisco City & County Super. Ct. No. CFP-05-505101)

Appellant Todd S. Glassey appeals from an order filed by the San Francisco Superior Court on April 20, 2015, denying his motion to vacate an arbitration award, and referring the matter to the Santa Clara Superior Court for further proceedings.

Appellant's briefs present a virtually unintelligible compilation of disjointed historical facts, accusations, and claims which fail to comply with several fundamental rules of appellate procedure. Those deficiencies include the failure to: (1) support references to the record with a citation to the volume and page number in the record where the matter appears; (2) state the nature of the action, the relief sought in the trial court; and (3) include a summary of the significant facts, but limited to matters in the record (Cal. Rules of Court, rule 8.204(a)(1)(C), (2)(A), (C)).

These are not mere technical requirements, but important rules of appellate procedure designed to alleviate the burden on the court by requiring litigants to present their cause systematically, so that the court "may be advised, as they read, of the exact question under consideration, instead of being compelled to extricate it from the mass." (*Landa v. Steinberg* (1932) 126 Cal.App. 324, 325.)

Perhaps most importantly, the incomprehensible nature of appellant's briefs makes it impossible for this court to discern what precise errors he is claiming were made by the trial judge, and how such errors were prejudicial. We are not required to search the record on our own seeking error. (*Del Real v. City of Riverside* (2002) 95 Cal.App.4th 761, 768.)

We note that appellant appears before us in propria persona. His unrepresented status in no way excuses the deficiencies in his briefs. (*Burnete v. La Casa Dana Apartments* (2007) 148 Cal.App.4th 1262, 1267 [" ' "[T]he in propria persona litigant is held to the same restrictive rules of procedure as an attorney" ' "].) Appellant's self-represented status does not exempt him from the rules of appellate procedure or relieve him of his burden on appeal. Those representing themselves are afforded no additional leniency or immunity from the rules of appellate procedure simply because of their in propria persona status. (See *Rappleyea v. Campbell* (1994) 8 Cal.4th 975, 984–985; see also *Nwosu v. Uba* (2004) 122 Cal.App.4th 1229, 1246–1247.) These deficiencies are a separate and independent basis requiring the dismissal of the current appeal.

Turning to the merits, this appeal appears to relate to an American Arbitration Association arbitration resolving certain disputes between appellant and respondent which resulted in an award, including attorney fees and costs, to respondent totaling more than $400,000. Appellant did not file a petition to vacate the award under Code of Civil Procedure[1] section 1288, and this award was confirmed by the San Francisco Superior Court by an order filed on May 11, 2005, by then-Judge James Warren, who issued a judgment against appellant totaling $467,360.30. No appeal was filed challenging the order and judgment confirming the arbitration award.[2]

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[1] All further statutory references are to the Code of Civil Procedure unless otherwise indicated.

[2] Apparently, appellant continued to litigate his dispute with respondent in several federal courts without success. Those efforts ended when the United States Supreme Court denied appellant's petition for writ of certiorari in May 2009.

In November 2014, respondent filed an "Application For and Renewal of Judgment," pursuant to sections 683.120 and 683.130, subdivision (a). By then interest had driven up the amount of the renewed judgment sought by the application to $890,551.95. The application was approved, and a "Notice of Renewal of Judgment" was filed and served on appellant and on appellant's counsel of record on November 10, 2014. The November 10 notice advised appellant that if appellant objected to the renewal he could file a motion to vacate or modify the renewal *not later than 30 days after service of the notice on him*. (See § 683.170, subd. (b).)

Instead of filing a timely motion to vacate or modify the renewal order, on March 2, 2015, appellant filed a "Notice of Motion and Motion to Vacate Arbitrator [*sic*] Award of Attorney Fees and Referral To the California Superior Court in Santa Clara County Per the Terms of the Contested Contract" (motion to vacate).

The motion to vacate was heard by Judge Ernest Goldsmith on April 20, 2015. Following the hearing, that same day an order was filed by Judge Goldsmith denying appellant's motion on the ground that it sought to vacate the December 2004 arbitration award which had been confirmed by Judge Warren's order and judgment of May 11, 2005. Because section 1288 required a motion to vacate an arbitration award be filed within 100 days of the date of service of the award, the motion was untimely, and the court was now without jurisdiction to entertain the motion on the merits. This appeal followed.

Appellant does not articulate with clarity how the court erred in issuing its order denying his motion to vacate. As the trial court correctly concluded, section 1288 requires that a motion challenging an arbitration award be brought within 100 days of service of notice of the award. That section provides: "A petition to confirm an award shall be served and filed not later than four years after the date of service of a signed copy of the award on the petitioner. A petition to vacate an award or to correct an award shall be served and filed not later than 100 days after the date of the service of a signed copy of the award on the petitioner." (*Abers v. Rohrs* (2013) 217 Cal.App.4th 1199, 1211 [the 100-day period for filing a petition to vacate or confirm is jurisdictional].)

Given that no petition was filed by appellant within the statutory period of 100 days, the trial court correctly denied appellant's motion to vacate, and appellant has not carried his burden on appeal to show otherwise.

DISPOSITION

The order denying appellant's motion to vacate is affirmed. Costs on appeal are awarded to respondent.

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RUVOLO, P. J.

We concur:

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REARDON, J.

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STREETER, J.